

25th instant. Under Rule 173 of our Rules of Procedure, a motion relating to a matter of privilege gains precedence over the pre-arranged programme of business if the Speaker holds that the motion involves a *prima facie* case of privilege. It has been laid down that the Speaker's function in ruling a claim of breach of privilege is limited to deciding formally whether the case conforms with the conditions which alone entitle it to take precedence and does not extend to deciding the question of substance whether breach of privilege has in fact been committed, since this is a question which can only be decided by the House itself.

The conditions with which a claim of privilege must comply in order to be accorded such precedence are firstly, that a *prima facie* case of breach must be made out and secondly that the matter must be raised at the earliest opportunity. In the present case, the news magazine was published on the 25th July and I understand that copies were available in Bangalore on the 25th itself. To bring a motion of privilege in relation to an article in the paper on the 29th cannot be said to satisfy the condition that the matter must be raised at the earliest opportunity. I have therefore no option but to hold that the matter has not been raised at the earliest opportunity so as to entitle it to take precedence over the appointed business, and I must therefore, hold the motion as out of order.

(2) *Re : COMPLAINTS BY MEMBERS IN RESPECT OF USE OF THE INTERNAL TELEPHONE BY THE CHIEF MINISTER AND PRESENCE OF OFFICERS AND OFFICIALS IN THE HALL.*

MR. SPEAKER.—The second one:

On the 28th instant Sri B. V. Narayana Reddy complained that the use of the internal Telephone by the Chief Minister and other Ministers was a source of disturbance to the House and was not in accordance with Parlia-

mentary practice. Some time earlier, several Hon'ble Members complained about the presence of officers and officials of the Government in the Hall and stated that the movement of these officers and officials within the Hall for the purposes of giving papers or files or furnishing information to the Hon'ble Ministers was also opposed to Parliamentary practice. I said I would give a considered ruling on these matters.

I find that on a previous occasion in 1950, the then Speaker Sri V. Venkatappa has given a ruling on this point. According to that ruling when a meeting of the Assembly is in progress, it is a Parliamentary convention that no one other than the Members of the House and Officers and staff of the Legislature Secretariat should have admission into the Hall. He has referred to the practice prevailing in the House of Commons where even Messengers of the Parliament Secretariat are not allowed into the Hall and any member who has a message to send out or receive has to go to the lobby where messengers are posted. This practice is also being followed in the Parliament at Delhi and in all the Legislatures in India. It is necessary that nothing should be done to detract from the dignity of the House or its proceedings and very often when an important statement or speech is being made in the House the constant movement of messengers or officers disturbs the solemnity of the occasion. It is no doubt true that very often information not readily available with Hon'ble Ministers has to be obtained in order to assist them in meeting points raised by Members. For this purpose, the practice in other Legislatures is for the Minister who has to consult an officer or an official to walk up to the Officers' Gallery, have his consultation there and then return to his seat, thus avoiding the necessity of persons other than members having to come into the Hall.

It is to be hoped that in future, officers and officials of the Government would not come into the Hall

(MR. SPEAKER.)

while the House is in session. I would also appeal to Hon'ble Members who have any messages to send or receive not to remain in their seats and ask for some messenger to come to their seats, but to kindly move into the lobby and take the assistance of a messenger there. I have seen some members sending slips asking for books or papers to be brought to their seats. It will be in keeping with the dignity of the House and its proceedings if Hon'ble Members who want any references would as far as possible obtain them from the library and not ask for them in the House.

From what I have stated above, it is clear that the use of an internal telephone is also opposed to Parliamentary practice. As far as I have been able to obtain information, in no Legislature in India or even in the House of Commons is there any such arrangement. That it detracts from the dignity of the proceedings of the House and would also distract the attention of the Members which may be directed to any point under debate admits of no doubt.

## ANDHRA STATE BILL, 1953.

### CLAUSES (continued).

5 P.M.

Mr. SPEAKER.—Now we take up clause 50.

Sri M. PALANIYAPPAN (Ulsoor).—Sir, I wish to bring to your notice that the arrangement of the seats puts Members to a lot of difficulties.

Mr. SPEAKER.—Just half an hour ago, I saw you moving about and sitting somewhere else.

Sri M. V. RAMA RAO.—Sir, I move the amendment standing in my name to clause 50 of the Bill. I have actually sent notice of two amendments. I do not propose to move the first of them. I shall be moving the

second of the amendments to clause 50 of which I have given notice. This amendment reads as follows :

“ For the existing clause 50, the following clause shall be substituted, namely :—

‘ On and from the appointed day, all laws in force in the State of Mysore shall extend to and apply to the territory added to the State of Mysore by sub-section (1) of section 4 and all laws in force immediately before the appointed day in such territory shall cease to have any force therein ’.”

Sir, the necessity for this amendment may be briefly stated in the following terms. Clause 50 in the Bill deals with what is described as the territorial extent of laws and says that “ The provisions of Part II shall not be deemed to have effected any change in the territories to which any law in force immediately before the appointed day extends or applies, and territorial references in any such law to the State of Madras or of Mysore shall, until otherwise provided by a competent legislature or other competent authority, continue to have the same meaning.” Sir, the provisions of Part II are the provisions which bring the Andhra State into existence which is the main purpose of this Bill and which transfer the territories in Bellary District to the State of Mysore as provided in the other clause of this Bill. If under clause 50, the provisions of Part II which create this new State and operate the transfer of territories to Mysore State, are not to be deemed to have effected any change in the territories to which any law in force immediately before the appointed day extends or applies, certain curious consequences would follow. The intention seems to have been that as a consequence of the splitting up of the present State of Madras into residuary Madras State and the new State of Andhra and the transference of certain territories to Mysore State, the territorial extent of the laws enacted in